

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By Chairman Bob Lake, on March 30, 2007 at 8:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Ron Erickson (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Edward Hilbert (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Gary MacLaren (R)
Rep. Dave McAlpin (D)
Rep. Bill Nooney (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Chas Vincent (R)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 121, 3/8/2007; SB 233, 3/9/2007;
SB 439, 3/16/2007; SB 525,
3/15/2007; HB 838, 3/23/2007
HB 330, 3/09/2007; HB 828,
3/09/2007

Executive Action: HB 330; HB 828

HEARING ON HB 838

Opening Statement by Sponsor:

00:02:21 Rep. Julie French (D), HD 36, opened the hearing on HB 838, Revise taxation of railroad property.

Proponents' Testimony:

00:26:46 Ken Torgerson, Farmer, near Sydney

Opponents' Testimony:

00:13:49 Barbara Ranf, representing Burlington Northern/Santa Fe (BNSF) Railway

00:16:11 Alec Vincent, General Director Taxes, BNSF Railway

[EXHIBIT\(tah68a01\)](#)

00:24:00 Mary Whittinghill, Montana Taxpayers Association, also speaking for Charles G. Clark, Union Pacific Railroad Company

[EXHIBIT\(tah68a02\)](#)

Informational Testimony:

00:26:28 Gene Walborn, Department of Revenue

Questions from Committee Members and Responses:

00:28:53 Rep. Cohenour

00:29:43 Alec Vincent

00:31:13 Rep. Cohenour

00:31:37 Rep. French

00:34:16 Rep. Butcher

00:35:13 Gene Walborn

00:36:36 Alec Vincent

00:39:20 Barbara Ranf

00:40:38 Rep. Hilbert

00:44:23 Rep. Erickson

00:46:01 Rep. Pomnichowski

00:49:12 Rep. MacLaren

00:50:27 Rep. Jopek

Closing by Sponsor:

00:52:01 Rep. Julie French

HEARING ON SB 121

Opening Statement by Sponsor:

00:53:14 Sen. Jim Elliott (D), SD 7, opened the hearing on SB 121, Prohibit sale of tax information.

Proponents' Testimony:

00:57:24 Dan Bucks, Director, Department of Revenue

[EXHIBIT\(tah68a03\)](#)

[EXHIBIT\(tah68a04\)](#)

[EXHIBIT\(tah68a05\)](#)

[EXHIBIT\(tah68a06\)](#)

[EXHIBIT\(tah68a07\)](#)

[EXHIBIT\(tah68a08\)](#)

01:07:22 Jim Madison, Volunteer Advocate, AARP Montana

[EXHIBIT\(tah68a09\)](#)

[EXHIBIT\(tah68a10\)](#)

Opponents' Testimony:

01:09:45 Holly Franz, representing Montana Society of CPAs

[EXHIBIT\(tah68a11\)](#)

01:12:23 Brian Donohue, Director of State Government Affairs,
H&R Block Company

[EXHIBIT\(tah68a12\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:18:31 Rep. Cohenour

01:19:13 Sen. Elliott

01:20:59 Rep. Erickson

01:22:26 Rep. MacLaren

01:22:43 Holly Franz

01:24:32 Rep. Butcher

01:28:30 Rep. Jopek

01:30:33 Chairman Lake

Closing by Sponsor:

01:34:54 Sen. Jim Elliott

HEARING ON HB 330

Opening Statement by Sponsor:

01:38:38 Rep. Bob Bergren (D), HD 33, opened the hearing on HB 330, Clean and renewable energy bonding.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:38:45 Rep. Bob Bergren

Discussion:

01:39:31 Rep. Jopek

01:40:02 Rep. Cohenour

01:40:35 Chairman Lake

HEARING ON SB 525

Opening Statement by Sponsor:

01:42:10 Sen. Jim Elliott (D), SD 7, opened the hearing on SB 525, Clarify duties of State Treasurer regarding deposit of tax and fees.

Proponents' Testimony:

01:43:24 Katie Genadek, Office of Budget and Program Planning

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:45:16 Rep. MacLaren

01:46:26 Rep. Hilbert

01:47:01 Jeff Martin, Legislative Services Division

Closing by Sponsor:

01:47:23 Sen. Jim Elliott

HEARING ON SB 233

Opening Statement by Sponsor:

01:48:03 Sen. Jim Elliott (D), SD 7, opened the hearing on SB 233, Allow multiple counties to create museum districts.

Proponents' Testimony:

01:50:35 Gail Patton, Sanders County Commissioner
01:53:28 Alan Coy, Lone Pine resident
01:55:34 Sheryl Wood, Associate Director, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:57:52 Rep. Pomnichowski
02:00:21 Rep. Ross

Closing by Sponsor:

02:01:50 Sen. Jim Elliott
02:03:24 Recess
02:19:57 Reconvene

HEARING ON SB 439

Opening Statement by Sponsor:

02:20:09 Sen. Jim Elliott (D), SD 7, opened the hearing on SB 439, Nonresident withholding for natural resource royalty payments.

Proponents' Testimony:

02:22:42 David Hunter, Deputy Director, Department of Revenue
[EXHIBIT\(tah68a13\)](#)
[EXHIBIT\(tah68a14\)](#)
02:28:34 Dave Galt, Executive Director, Montana Petroleum Association
02:29:18 Debbie Shea, Executive Director, Montana Mining Association

Proponents' Testimony: (Con't)

02:30:14 Patrick Montalban, Northern Montana Oil and Gas
Association

02:32:13 Tom Bilodeau, MEA/MFT

Opponents' Testimony:

02:33:06 Leo Berry, representing Great Northern Properties

02:36:32 Holly Franz, representing Montana Society of CPA's also
speaking for Shirley Warehime

EXHIBIT(tah68a15)

Informational Testimony: None

Questions from Committee Members and Responses:

02:38:18 Rep. Hilbert

02:39:45 Rep. Lambert

02:40:29 Rep. Ross

02:42:21 Chairman Lake

02:46:13 Rep. Nooney

02:52:31 Patrick Montalban

02:53:51 Rep. Hilbert

03:00:21 Chairman Lake

03:04:52 Rep. Cohenour

03:08:31 Rep. Lambert left the hearing

03:08:52 Chairman Lake

Closing by Sponsor:

03:12:47 Sen. Jim Elliott

03:17:58 Chairman Lake

03:18:25 Sen. Jim Elliott

Discussion:

03:23:24 Rep. Jopek

03:23:37 Jeff Martin

03:24:04 Rep. Jopek

03:24:14 Chairman Lake

HEARING ON HB 828

Opening Statement by Sponsor:

03:25:00 Rep. Alan Olson (R), HD 45, opened the hearing on HB 828, Study carbon sequestration.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

03:26:37 Rep. Alan Olson

EXECUTIVE ACTION ON HB 828

03:27:19 **Motion:** Rep. Cohenour moved that **HB 828 DO PASS.**

03:27:31 **Motion/Vote:** Rep. Nooney moved that **HB 828 BE AMENDED.**
MOTION CARRIED unanimously by voice vote.

[**EXHIBIT**](#)(tah68a16)

03:28:36 **Motion/Vote:** Rep. Cohenour moved that **HB 828 DO PASS**
AS AMENDED. MOTION CARRIED unanimously by voice vote.

EXECUTIVE ACTION ON HB 330

03:29:02 **Motion/Vote:** Rep. Cohenour moved that **HB 330 DO PASS.**
MOTION CARRIED unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:30 A.M.

REP. BOB LAKE, Chairman

DEBRA POLHEMUS, Secretary

BL/dp

Additional Exhibits:

EXHIBIT ([tah68aad.pdf](#))